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November 15, 2024

VIA PACER

Honorable Justin T. Quinn, U.S.M.J. United States District Court for the District of New Jersey 402 East State Street Trenton, NJ 08608

Re:

1735 Jersey Ave LLC v. Luxe Living Design, LLC, et al. Case No. 3:24-cv-06168-MAS-JTQ

<u>1735 Jersey Ave LLC v. Luxe Living Design, LLC</u> Civil Action No. 3:24-cv-06175-MAS-JTQ

Dear Magistrate Judge Quinn:

As you are aware, this firm represents Plaintiff, 1735 Jersey Ave LLC, in the above-referenced actions. I write further to apprise Your Honor that defendants are in violation of Your Honor's Orders, and refuse to comply despite multiple requests by this office. Accordingly, Plaintiff is constrained to ask Your Honor to intervene.

By way of brief background, by Order, dated October 23, 2024, Your Honor ordered that defendants pay ongoing rent at an agreed-upon amount, with October 2024 rent to be paid by November 8, 2024. The parties were unable to come to an agreement and, by Order, dated November 7, 2024, Your Honor set monthly rent at the rate of \$224,000 per month. Defendants paid \$165,000 for October 2024 rent.

On November 7, 2024, I wrote to Defendants' counsel to "remind" Defendants that it needed to pay an additional \$59,000 for October 2024 rent by the next day. Full rent was not received on November 8, 2024 and, on November 11, 2024, I again emailed Defendants' counsel that it had failed to pay all rent in accordance with Your Honor's Order. On November 14, 2024, I spoke with Defendants' counsel and advised that if the outstanding payment was not made by 11:00 am on November 15, 2024, I would ask the Court to intervene. Defendants, again, ignored this entreaty.

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While Plaintiff loathes to burden the Court with this type of request, Plaintiff is left with no choice given Defendants' ongoing non-compliance.

Thank you for your attention to this matter.

Respectfully submitted,

Jonathan A. Ozarow